

Summary

Claims 1-17 were pending. Claims 1-3, 6-7, 13 and 16-17 have been amended and Claims 4-5 and 14-15 cancelled. Claims 1-3, 6-13 and 16-17 are pending. No new matter is added as a result of this response.

Objection to Specification

In the summary of the Office Action, the Examiner objected to the Specification. In the detailed action, however, no grounds for objection have been set forth. Accordingly, Applicants respectfully request that the objection be withdrawn in the next Office Action.

Claim Rejections

Claims 1-4, 7-9, 11-14 and 17 were rejected under 35 U.S.C. §102(e), as being anticipated by Maeda et al. (US 6,883,924; "Maeda") or Sasagawa et al. (US 6,636,283; "Sasagawa"); Claims 5-6, 10, and 15-16 were rejected under 35 U.S.C. §103(a), as being unpatentable over Maeda or Sasagawa. Applicants have amended Claims 1 and 13 and submit that the pending claims overcome the rejections.

Claims 1 and 13 recite an illumination device or an LCD that comprises the illumination device. The illumination device comprises, *inter alia*, a light guide plate; an intermediate light guide disposed along one side face of the light guide plate; and a light emitting element disposed at an end face in a lengthwise direction of the intermediate light guide. The outer side face of the intermediate light guide is provided with wedge-shaped grooves and/or minute irregularities provided distant from the end face of the intermediate light guide. The grooves/minute irregularities extend from -1 mm to +0.5 mm from an extension line of an end face of the light guide plate close to the light emitting element.

Applicants agree with the Examiner that neither Maeda nor Sasagawa disclose such an arrangement. The Examiner has indicated that it would be obvious to one of ordinary skill in the art to determine details of the workable range of distance of the grooves/irregularities and cites "Generally,

differences in concentration or temperature will not support the patentability of subject matter encompassed by the prior art unless there is evidence indicating such concentration or temperature is critical. "[W]here the general conditions of a claim are disclosed in the prior art, it is not inventive to discover the optimum or workable ranges by routine experimentation." from *In re Aller*.

In re Aller (220 F.2d, 454, 42 CCPA 824, 105 USPQ 233 (1955)) is a case in which the process in question was a matter of admitted prior art, and the issue was only one of whether the experimentation to find an optimum value was no more than the application of the expected skill of the chemical engineer. However, as the MPEP indicates, a particular parameter must first be recognized as a result-effective variable, i.e., a variable which achieves a recognized result, before the determination of the optimum or workable ranges of said variable might be characterized as routine experimentation. *In re Antonie*, 559 F.2d 618, 195 USPQ 6 (CCPA 1977).

In the present application, both Maeda and Sasagawa are directed towards angular ranges, pitches, and/or heights of the grooves. However, nowhere does either reference discuss specifics about the starting/ending point of the grooves. As neither reference recognizes this feature, the primary result being optimized is not the same as those described in the references. Accordingly, the reasoning regarding "result effective variables" does not apply. In other words, since neither reference discusses the starting point or termination point of the grooves/irregularities, there is no motivation to choose or optimize any particular set of distances from the end face of the light guide plate close to the light emitting element.

For at least these reasons, amended Claims 1 and 13 are patentable over the cited references.

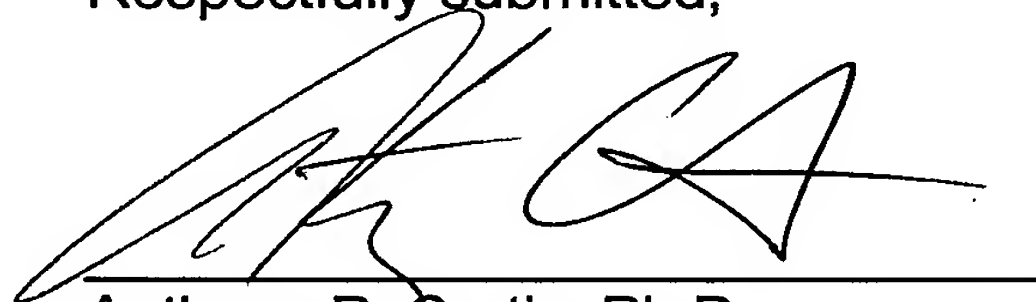
Dependent Claims 1-3, 6-12, and 16-17 are dependent upon an allowable claim. Thus, the dependent claims are allowable, without more.

Conclusion

In view of the arguments above, Applicants respectfully submit that all of the pending claims are in condition for allowance. If for any reason the

Examiner is unable to allow the application in the next Office Action and believes that a telephone interview would be helpful to resolve any remaining issues, he is respectfully requested to contact the undersigned attorney or agent.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'AP Curtis', is written over a horizontal line.

Anthony P. Curtis, Ph.D.
Registration No. 46,193
Agent for Applicants

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200